GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Water Resources Department - Allegation of Acquisition of assets disproportionate to the known sources of his legal income against Sri B. Kallimullah, the then Dy. Executive Engineer, H.L.C. Localization Sub-Division, Garladinne, Anantapur District, now retired from service - Prosecution Sanctioned - Disciplinary proceedings initiated under rule 20 of APCS (CC&A) Rules, 1991, for violation of APCS (Conduct) Rules, 1964 - Imposition of penalty of 5% (five) cut in pension for a period of 2 (two) years under Rule 9 of APRP Rules, 1980 – Orders – Issued.

WATER RESOURCES (VIGILANCE-II) DEPARTMENT

G.O.Rt .No.265 **Dated:13.06.2023.**

Read the following:-

1 From the DSP (FAC), ACB, Anantapur Range, Anantapur, A.P., Police Dept., Radio message, dt.10.04.2010.
2 From the DG, ACB, A.P., Hyderabad, Lr.RC.No.53/RCA-ATP/2010-S14, dt.20.03.2013.
3 G.O.Rt.No.1171, Irrigation & CAD (Ser.VI) Department, dated 07.12.2013.
4 G.O.Rt.No.395, Water Resources (Vig-I) Department, dated 05.06.2018.
5 Govt., Memo.No.9766/Vig-I/A2/2010-29, Dated 06.07.2018.
6 From the ENC., Lr.No.RC/ENC/S1 (4)/6646/2010, dt.09.12.2019 received along with Inquiry Report.
7 Govt.Memo.No.9766/Vig.I/A2/2010-33, W.R (Vig.I) Dept., dt.14.08.2020.
8 Explanation of the A.O Sri B. Kallimullah, Dy. Executive Engineer (Retired) received through the ENC (AW),WRD, Lr.RC/ENC/S1(4)/6646/2010, dt.04.11.2020.
9 Govt., Memo.No.9766/Vig.I/A1 /2010, Dated: 20/09/2021.
10 Explanation of Sri B. Kallimullah, Dy. Executive Engineer (Retired), dt.26.11.2021.
11 Govt., Lr.No. 9766/Vig.I/2010(383601) Dated:14/03/2023.
12 From the Secretary, APPSC,Vijayawada Letter No.GAD03-APPS0DCC/48/2023-DC. SEC-APPSC (Comp No-2062602), dt:19.05.2023

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ORDER:-

In the reference 1st read above, a case was registered against Sri B. Kallimullah, Dy. Executive Engineer (Retired) earlier worked in the O/o HLC Localization SD, Garladinne, Anantapur District, on the allegation of acquisition of assets disproportionate to the known sources of his legal income.

2. In the reference 2nd read above the DG, ACB, Hyderabad in his final report has recommended for prosecution and initiation of departmental action against the A.O Sri B. Kallimullah, Dy. Executive Engineer (Retired) earlier worked in the O/o HLC Localization SD, Garladinne, Anantapur District. Further, orders were issued sanctioning prosecution against the A.O Sri B. Kallimullah, Dy. Executive Engineer (Retired). Aggrieved by the prosecution orders, the A.O has filed W.P.No.16176/2014 before the Hon'ble High Court and in orders dated:26.02.2020 the Hon'ble High Court has dismissed the said W.P. Further the A.O has filed the W.A.No.203 of 2020 against the above orders in W.P.No.16176/2014 and the same has also dismissed by the Hon'ble High Court in its orders dated:23.09.2021.

3. In the reference 3rd read above, Article of charges were issued against the A.O Sri B. Kallimullah, Dy. Executive Engineer (Retired) for violation of A.P.C.S.(Conduct) Rules, 1964. After examination of the WSD submitted by the A.O, Government have decided to conduct the inquiry into the charges framed against Sri B. Kallimullah, Dy. Executive Engineer (Retired).

4. In the reference 4th and 5th read above the Superintending Engineer, Designs and Quality Control, Telugu Ganga Project, Tirupati was appointed as Inquiring Authority and Sri R. Prathap Reddy, Inspector of Police, Anantapur Range, Ananthapuramu was appointed as Presenting Officer to present the case on behalf of the disciplinary authority against Sri B. Kallimullah, Dy. Executive Engineer (Retired). After completion of enquiry, the inquiry officer has submitted his inquiry report vide reference 6th read above reporting that the charge are held proved against him.

5. In the reference 7th read above, while communicating a copy of the inquiry report to Sri B. Kallimullah, Dy. Executive Engineer (Retired) with a direction to submit his

explanation, if any on the findings of the inquiry officer. In the reference 8th read above, Sri B. Kallimullah, Dy. Executive Engineer (Retired) has submitted his explanation.

6. After examination of the explanation of the charged officer, it has been provisionally decided to impose a penalty of withholding of 5% of pension for a period of two (2) years against Sri B. Kallimullah, Dy. Executive Engineer (Retired) under Rule 9 of A.P Revised Pension Rules, 1980 as the charge is held proved against him, as per the findings of I.O, without prejudice to the criminal case pending in the Hon'ble High Court.

7. In the reference 9th read above, a show cause notice under Rule 9 of APRP Rules, 1980, was issued to Sri B. Kallimullah, Dy. Executive Engineer (Retired) with a direction to show cause as to why a penalty of (5%) cut in pension for a period of two (2) years shall not be imposed on him within (15) days from the date of receipt of this memo, failing which it will be construed that he has no representation to submit and necessary further action will be taken against him as per the material available on record with the government. In the reference 10th read above, he has submitted his explanation to the show cause notice in which he did not submit any new grounds/new material for examination.

8. In the reference 11th read above, the Secretary, Andhra Pradesh Public Service Commission, Vijayawada has been requested to place the proposal of the Department i.e., to impose the penalty of 5% cut in pension for a period of two (2) years against Sri B. Kallimullah, Dy. Executive Engineer (Retired) under A.P Revised Pension Rules, 1980.

9. In the reference 12th read above, the Secretary, Andhra Pradesh Public Service Commission, Vijayawada has informed that the Commission agreed with the proposal of the Government i.e., to impose penalty of 5% cut in pension for a period of two (2) years against Sri B. Kallimullah, Dy. Executive Engineer (Retired) under A.P Revised Pension Rules, 1980.

10. Government after careful examination of the entire issue, hereby order to impose the penalty of 5% cut in pension for a period of two (2) years under Rule (9) of A.P. Revised Pension Rules, 1980 against Sri B. Kallimullah, the then Dy. Executive Engineer, H.L.C. Localization Sub-Division, Garladinne, Anantapur District (now retired).

11. The Engineer-in-Chief (AW), Water Resources Department, Vijayawada, shall take further necessary action in the matter accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To:

Sri B. Kallimullah, the then Dy. Executive Engineer, H.L.C. Localization Sub-Division, Garladinne, Anantapur District, now retired (**through** the Engineer-in-Chief (AW), Water Resources Department, A.P., Vijayawada.)
The Engineer-in-Chief(AW), Water Resources Department, A.P., Vijayawada.
The Accountant General, Andhra Pradesh, Vijayawada.
The Water Resources (Ser-II) Department.

Copy to:

The Director General, Anti-Corruption Bureau, A.P., Headquarters Office, 2nd Floor, N.T.R. Admn. Block, Pandit Nehru Bus Station, Vijayawada.
The Secretary to VC, APVC, AP. Secretariat, Velagapudi, Amaravati.
The Secretary,Andhra Pradesh Public Service Commission,
New Government Offices Building 2nd Floor,
M.G. Road(Bandhar Road),Opp: Indira Gandhi Municipal Complex,
Vijayawada-520 010. Andhra Pradesh
Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER